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ABSTRACT

Although the second youngest person of those who would sign the U.S. Constitution, Charles Pinckney stood out as one of the most active members of the Constitutional Convention, and over 30 of the U.S. Constitution's provisions can be traced to his pen. This booklet on Pinckney is one in a series on Revolutionary War soldiers who later signed the U.S. Constitution. The booklet reviews his education, his military service in the southern campaign, his active participation in the Constitutional Convention as a delegate from South Carolina, and his public service to his state and the nation. Personal data about Pinckney and a bibliographic essay of further readings are also included. (DJC)

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Charles Pinckney

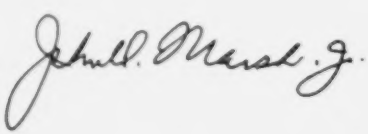
SO 019 482

Soldier-Statesmen of the Constitution
A Bicentennial Series

Introduction

In September 1987 the United States commemorates the bicentennial of the signing of the Constitution. Twenty-two of the thirty-nine signers of the Constitution were veterans of the Revolutionary War. Their experiences in that conflict made them deeply conscious of the need for a strong central government that would prevail against its enemies, yet one that would safeguard the individual liberties and the republican form of government for which they had fought. Their solution is enshrined in the Constitution. The President of the United States is the Commander in Chief of the nation's military forces. But it is the Congress that has the power to raise and support those forces, and to declare war. The Founding Fathers established for all time the precedent that the military, subordinated to the Congress, would remain the servant of the Republic. That concept is the underpinning of the American military officer. These twenty-two men were patriots and leaders in every sense of the word: they fought the war, they signed the Constitution, and they forged the new government. They all went on to careers of distinguished public service in the new Republic. Their accomplishments should not be forgotten by those who enjoy the fruits of their labors. Nor should we forget the fortieth man whose name appears on the Constitution. The Secretary was the twenty-third Revolutionary veteran in the Convention, who continued his service to the nation as one of its first civil servants.

This pamphlet was prepared by the U.S. Army Center of Military History with the hope that it will provide you with the background of a great American; stimulate you to learn more about him; and help you enjoy and appreciate the bicentennial.



John O. Marsh, Jr.
Secretary of the Army

CHARLES PINCKNEY
South Carolina

Charles Pinckney, who represented South Carolina at the Constitutional Convention, was an ardent apostle of the rights of man. He dedicated his considerable political and legal talents to the establishment of a strong national government so that, as he put it to his fellow South Carolinians, "the effects of the Revolution may never cease to operate," but continue to serve as an example to others "until they have unshackled all the nations that have firmness to resist the fetters of despotism."

These ringing sentiments, perhaps easily explained as the idealism of a youthful veteran of the Revolution, nonetheless represented a very serious concern on Pinckney's part that his fellow citizens were growing complacent since their victory over Britain. While many politicians, enjoying the fruits of independence, celebrated the sovereignty of the individual states, Pinckney was among those who perceived a clear and present danger in allowing a weak confederation of the states to lead the new nation that had emerged from the Revolutionary War. He worked unceasingly for an effective and permanent union of the states because his own experiences in the Revolution and as a member of the Continental Congress had reinforced his conviction that only a strong central government could provide the economic and military strength essential to prosperity and security. Unlike some of his prominent colleagues, Pinckney saw little to fear in a powerful government. He agreed with the Federalists that the rights of the citizen would be protected under the Constitution since it recognized that the government's power came from the people and that the government remained in all things accountable to the people.

THE PATRIOT

The Pinckneys were one of South Carolina's oldest and most distinguished families, and successive generations made a significant contribution to the development of the new nation. The family had arrived in America in 1692, and Pinckney's great-grandfather, a wealthy English gentleman, quickly established an enduring base of political and economic power. Pinckney's father, a rich planter and lawyer with an extensive practice in Charleston, rose to the rank of colonel in the state militia and was a prominent leader within the colonial assembly.

Unlike his famous cousins—and fellow Patriots—Charles Cotesworth and Thomas Pinckney, Charles Pinckney was not educated abroad. Instead, his parents arranged for his private tutoring under the direction of a noted South

Carolina scholar and author, Dr. David Oliphant. Through Oliphant's instruction, the new political currents circulating around Pinckney's cousins at Oxford and at the Inns of Court also touched the young man in Charleston. Oliphant was among those Enlightenment scholars who were successfully and eloquently instilling in their students a political philosophy that viewed government as a solemn social contract between the people and their sovereign, with each possessing certain inalienable rights that government was obliged to protect. If government failed to fulfill the contract, the people had a right to form a new government.

Oliphant also imparted to Pinckney a love of scholarship that led over the years to a mastery of five languages, the accumulation of a personal library of over two thousand volumes, and, at the age of thirty, to an honorary degree from the College of New Jersey (now Princeton University). When Pinckney left Oliphant's care, he concluded his formal education by studying law under his father's personal direction. He was admitted to the South Carolina bar in 1779 while still in his twenty-first year.

Pinckney, however, never saw a career in the law as his major vocation. Coming of age in the midst of the Revolution, the gifted young scholar turned naturally to politics. His neighbors obliged by electing him to a seat in the South Carolina legislature. But where the elder Pinckney had been a cautious and somewhat hesitant member of various legislative and administrative bodies that led South Carolina into the Revolution, the son was a wholehearted patriot. Again unlike his father, who would later repudiate the Revolution and seek a Royal pardon, Pinckney never wavered in his dedication to the cause.

THE SOLDIER

By late 1778 the King's ministers found themselves facing new difficulties in North America. George Washington's main force of increasingly well trained and well supplied continentals had frustrated a series of British generals to produce a virtual military stalemate. France's entry into the war on the colonial side had also forced the Royal Army to stretch resources to meet contingencies in other areas, not just in North America.

British leaders were forced to adopt a new plan of action, their "southern strategy." They proposed to attack northward from a base of operations in Florida, while continuing to tie down Washington's main force around Philadelphia. They would conquer the southern states one at a time, using local Loyalists to garrison newly captured areas as the Royal forces pushed ever further north. The first phase in this new plan began with a lightning attack on Savannah, which British forces captured in December 1778.

With the enemy approaching, Pinckney lost no time in taking up arms. In 1779 he accepted election as a lieutenant in the Charleston Regiment of

Oil on canvas, attributed to Gilbert Stuart (1786). New York State Office of Parks, Recreation and Historic Preservation.

South Carolina's militia and quickly learned the responsibilities that went with serving as a citizen-soldier. His regiment turned out with other state units to meet and repulse the first tentative British move up from Georgia that summer, and then joined in a counterattack. It was an international campaign. French warships and troops under the command of the Comte d'Estaing sailed north from operations in the Caribbean in the early fall of 1779 to link up with a combined force of Continental regulars and mobilized militiamen under the command of Major General Benjamin Lincoln. These forces met outside Savannah and began a formal siege of the surrounded British garrison. Unlike the later victory at Yorktown, time ran out on the allies at Savannah. Under pressure to return to France, d'Estaing persuaded Lincoln to launch a direct assault on the enemy's earthworks. Pinckney was in the heart of the doomed attack and witnessed the heavy casualties that resulted.

The British soon reinforced the garrison, and by early 1780 Lincoln's men had been pushed back to Charleston. Redcoats, Hessians, and Loyalists then began a siege of their own, pounding the city with heavy artillery and choking off its food supply. On 12 May, Lincoln's army surrendered in what was the single worst defeat suffered by Americans in the Revolution. Unlike the continentals, who were imprisoned in a disease-ridden camp in Charleston harbor, Pinckney and his fellow citizen-soldiers were allowed to return home after promising not to fight again until they were formally exchanged. Because of

his family's prominence and his own political importance, Pinckney came under intense pressure from the British, who hoped to induce him to renounce the Patriot cause. But the young officer resisted the British propaganda, and with the tide of war turning against them in 1781, his captors revoked his parole and incarcerated him—and other militia officers who refused to swear allegiance to King George—with the Continental officers. A general exchange of prisoners finally secured his repatriation.

THE STATESMAN

Though retaining his position in the militia, Pinckney retired from active service to resume his duties in the South Carolina legislature, where he continued to represent various districts until 1796. Meanwhile, his colleagues called on him in 1784 to represent the state in the Continental Congress, a post he held for three successive terms. Pinckney's service in the postwar Continental Congress served to reinforce the lessons he had learned as a militiaman during the Revolution—that the problems facing America were too large to be met by the states individually but demanded the close cooperation of all the states if they were to be overcome. He pressed for measures that would strengthen the central government, traveling widely to preach the need for concerted action, especially in regard to commerce and the discharge of war debts. In 1786 he was among those in Congress to call for a strengthening of the federal authority to raise revenues, and in 1787 he led the fight for the appointment of a "general committee" to amend the Articles of Confederation, a move that led directly to the Constitutional Convention.

Chosen to represent South Carolina at the Convention, Pinckney arrived in Philadelphia with many specific proposals in hand. In fact, he was one of several members who submitted draft constitutions for the Convention's deliberation. Although the second youngest of those who would sign the Constitution, Pinckney stood out as one of the most active members of the Convention—in formulating working procedures, in attending committee sessions, and in speaking frequently and convincingly during the long process of hammering out compromises. Over thirty of the Constitution's provisions can be traced directly to his pen, and his personal experience in the Revolution clearly influenced his support of others. Among the more important issues for which he fought was the subordination of the military to civil authority. This principle was made explicit in the provision that declared the president commander in chief and retained for Congress, the branch of government most directly representing the will of the people, the power to declare war and maintain military forces. Defending his position on this sensitive subject, Pinckney once expressed to South Carolina's voters his inability to understand

how anyone, considering the nation's recent experiences, could fail to perceive the need for "regular military forces." Only the timid would oppose it, he concluded, for although the Constitution made the president the commander in chief, it also guaranteed that "he can neither raise nor support forces by his own authority." Pinckney also tried, unsuccessfully, to include in the Constitution some explicit guarantees concerning trial by jury and freedom of the press—measures that would later be enshrined in the Bill of Rights.

Pinckney returned to South Carolina to serve as the floor manager for the nationalist forces in the state's convention that ratified the Constitution in 1788, and then chaired a second assembly that drafted a new state constitution along the lines laid out in Philadelphia. In between, he won the first of several terms as governor.

Although Pinckney associated in Philadelphia with many future leaders of the Federalist party, his nationalist sentiments were more compatible with those expressed by Thomas Jefferson and James Madison. As a result, he served as the manager in South Carolina of Jefferson's successful campaign for president in 1800 and supported Jefferson's program during a brief term in the United States Senate before resigning in 1801 to become ambassador to Spain, where he helped negotiate the Louisiana Purchase.

Pinckney returned home in 1804 to resume an active political career in the state legislature and, in 1806, as governor for a fourth term. As governor he supported an amendment to the state constitution to increase representation from the frontier regions and pressed for measures that would eventually lead to universal white male suffrage. Pinckney retired from politics in 1814 to attend to his personal finances, which had been eroded by years of absence on public service, and to promote a number of educational and charitable endeavors. But in 1818 he responded to the pleas of his political allies and ran for office one last time, winning a seat in the House of Representatives.

Few Founding Fathers could match Pinckney's record of service to the nation and his state. Nor were many driven by so strong and clear a political philosophy. "We have already taught some of the oldest and wisest nations to explore their rights as men," he once told his fellow citizens. The idea that a free citizenry should control its own destiny through a strong, elected government had served as the consistent guiding principle in the long and fruitful career of this citizen-soldier and statesman.

The Congress shall have Power . . .
To raise and support Armies . . . ;
To provide and maintain a Navy;
To provide for organizing, arming, and disciplining, the Militia . . . ;

ARTICLE I, Section 8.

Personal Data

BIRTH: 26 October 1757, at Charleston, South Carolina
OCCUPATION: Lawyer and Planter
MILITARY SERVICE:
Lieutenant, South Carolina Militia—3 years
PUBLIC SERVICE:
Continental Congress—2 years
House of Representatives—2 years
United States Senate—3 years
Ambassador to Spain—3 years
Governor of South Carolina—8 years
DEATH: 29 October 1824, at Charleston, South Carolina
PLACE OF INTERMENT: St. Philip's Episcopal Churchyard, Charleston

Further Readings

The only biographies of Pinckney are Andrew J. Bethea's *The Contribution of Charles Pinckney to the Formation of the American Union* (1937) and William E. Bowen's *Charles Pinckney, a Forgotten Statesman* (1928). However, biographical details are contained in Walter B. Edgar, et al., compilers, *Biographical Directory of the South Carolina House of Representatives* (4 vols. to date, 1974-); Helen K. Hennig, *Great South Carolinians From Colonial Days to the Confederate War* (1940); and Mabel L. Webber's "The Thomas Pinckney Family of South Carolina," *South Carolina Historical Magazine*, 39 (1938), pp. 15-35. Other books which shed light on the creation of the Constitution and the role of the military in the early history of the nation include Sol Bloom, *The Story of the Constitution* (1937); Catherine Bowen, *Miracle at Philadelphia* (1966); Edmund C. Burnett, *The Continental Congress* (1941); Alexander Hamilton, John Jay, and James Madison, *The Federalist Papers*; H. James Henderson, *Party Politics in the Continental Congress* (1974); Don Higginbotham, *The War of American Independence* (1971); Merrill Jensen, *Making of the Constitution* (1979); Richard Kohn, *Eagle and Sword* (1975); Clinton Rossiter, *1787: The Grand Convention* (1966); U.S. National Park Service, *Signers of the Constitution* (1976); and Gordon Wood, *The Creation of the American Republic* (1969).

Cover: *Scene of the Signing of the Constitution of the United States*, by Howard Chandler Christy, courtesy of the Architect of the Capitol.

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